

[10901/37]

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE AND METHOD FOR CONTROLLING A MACHINE TOOL** the specification of which was filed as U.S. Patent Application Serial No. 10/088,036 on March 13, 2002.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

| Number | Country<br>filed | Day/month/year | Priority Claimed<br>Under 35 U.S.C. 119 |
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|--------------|--------------------------------|---------------|-----|
| 100 34 079.2 | Federal Republic<br>of Germany | July 13, 2000 | Yes |
|--------------|--------------------------------|---------------|-----|

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And I hereby appoint Richard L. Mayer (Reg. No. 22,490) and Clifford A. Ulrich (Reg. No. 42,194) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

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**CUSTOMER NO. 26646**



**26646**

PATENT TRADEMARK OFFICE

Please direct all telephone calls to Richard L. Mayer at (212) 425-7200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor: **Christian RUTKOWSKI**

Inventor's Signature: Christian Rutkowski

Date: 05 / 13 / 2002

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